

JET/KMP November 2019
GJ# 22

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	No. 2:19-CR-00509-MHH-SGC
)	
JOHNNY LEE SMITH, III)	
)	

SUPERSEDING INDICTMENT

COUNT ONE: [21 U.S.C. § 841(a)(1)&(b)(1)(C)]

The Grand Jury charges that:

On or about the 21st day of May, 2018, in Jefferson County, within the Northern District of Alabama, the defendant,

JOHNNY LEE SMITH, III,

did knowingly, intentionally, and unlawfully possess with the intent to distribute a mixture and substance containing a detectable amount of heroin, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT TWO: [21 U.S.C. § 841(a)(1)&(b)(1)(C)]

The Grand Jury charges that:

On or about the 21st day of May, 2018, at a different time and place than in

Count One, in Jefferson County, within the Northern District of Alabama, the defendant,

JOHNNY LEE SMITH, III,

did knowingly, intentionally, and unlawfully possess with the intent to distribute a mixture and substance containing a detectable amount of heroin, a controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT THREE: [18 U.S.C. § 924(c)(1)(A)(i)]

The Grand Jury charges that:

On or about the 21st day of May, 2018, in Jefferson County, within the Northern District of Alabama, the defendant,

JOHNNY LEE SMITH, III,

knowingly possessed a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a Court of the United States, that is, possession with intent to distribute heroin, as charged in Count Two of this Indictment, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

COUNT FOUR: [18 U.S.C. § 922(o)]

The Grand Jury charges that:

On or about the 21st day of May, 2018, in Jefferson County, within the Northern District of Alabama, the defendant,

JOHNNY LEE SMITH, III,

did knowingly possess a machine gun, that is, a Glock .40 caliber firearm converted to fully automatic by way of an automatic switch, and a .223 caliber firearm converted to fully automatic, in violation of Title 18, United States Code, Sections 922(o) and 924(a)(2).

COUNT FIVE: [26 U.S.C. § 5861(d)]

The Grand Jury charges that:

On or about the 21st day of May, 2018, in Jefferson County, within the Northern District of Alabama, the defendant,

JOHNNY LEE SMITH, III,

did knowingly receive and possess a firearm, that is a silencer, further described as one repurposed flashlight body, and one black cylindrical device used for silencing, muffling, or diminishing the report of a portable firearm, in violation of Title 26, United States Code, Section 5861(d).

A TRUE BILL

/s/ Electronic Signature

FOREPERSON OF THE GRAND JURY

JAY E. TOWN
United States Attorney

/s/ Electronic Signature
KRISTY M. PEOPLES
Assistant United States Attorney